

**REVISED
PLANNING AND ZONING COMMISSION
MEETING MINUTES**

OCTOBER 31, 2005

MEMBERS PRESENT: Emery Zahner, Geri Kupecky, Lori Spielman, (Robert Hoffman arrived 7:10) and Alternates James Prichard, Arlo Hoffman

MEMBERS ABSENT: Mort Heidari and Cliff Aucter

STAFF PRESENT: Robert A. Phillips, Town Planner and Kristin Michaud, Recording Secretary

I. CALL TO ORDER:

Chairman Zahner called the Planning & Zoning Commission (PZC) meeting to order at 7:03 PM at the Ellington Town Hall Annex Meeting Room, 57 Main Street, Ellington, CT.

II. PUBLIC COMMENTS: NONE

III. PUBLIC HEARINGS:

MOVED (SPIELMAN), SECONDED (KUPECKY) TO ADD BY VOICE VOTE #S200509 – BROOK CROSSING DEVELOPERS, LLC FOR A 9 LOT RE-SUBDIVISION ON PROPERTY LOCATED AT BROOK CROSSING, APN 119-004-0000 IN AN RA ZONE.

MOVED (KUPECKY), SECONDED (SPIELMAN) AND PASSED UNANIMOUSLY TO ACCEPT THE APPLICANTS REQUEST TO EXTEND THE PUBLIC HEARING FOR #S200509 – BROOK CROSSING DEVELOPERS, LLC.

1. #Z200540 – Brook Crossing Developers, LLC for a special permit for a rear lot in conjunction with a 9 lot re-subdivision on property located on Brook Crossing, APN 119-004-0000 in an RA Zone.

TIME: 7:04PM

SEATED: J. Prichard, L. Spielman, G. Kupecky, E. Zahner, A. Hoffman

Chairman Zahner read two letters from Tarbell & Heintz dated 10/3/05.

MOVED (SPIELMAN), SECONDED (KUPECKY) AND PASSED UNANIMOUSLY TO CONTINUE THE PUBLIC HEARING FOR #Z200540 – BROOK CROSSING DEVELOPERS, LLC.

2. #Z200537 – Landmark Surveys, LLC for a zone change to RA on property located at 120 Stafford Road, APN 148-021-0000 in RA & PC Zones.

TIME: 7:10 PM

SEATED: J. Prichard, L. Spielman, G. Kupecky, E. Zahner, B. Hoffman (A. Hoffman – Recused)

Rachel Dearborn, Landmark Surveys, came forward to review the plan with the commission. She explained that the property was multi-zoned and they want it changed to all RA Zone.

MOVED (SPIELMAN), SECONDED (B. HOFFMAN) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR #Z200537 – LANDMARK SURVEYS, LLC.

MOVED (B. HOFFMAN), SECONDED (SPIELMAN) AND PASSED (NAY – G. KUPECKY) TO APPROVE #Z200537 – LANDMARK SURVEYS, LLC.

3. #Z200538 – Kenneth Brennan for a special permit for an accessory apartment on property located at 40 Kibbe Road, APN 122-010-0000 in an AA Zone.

TIME: 7:20 PM

SEATED: J. Prichard, B. Hoffman, L. Spielman, G. Kupecky, A. Hoffman, E. Zahner

Ken Brennan came forward and explained what the apartment would be used for.

MOVED (SPIELMAN), SECONDED (PRICHARD) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR #Z200538 – KENNETH BRENNAN.

MOVED (SPIELMAN), SECONDED (KUPECKY) AND PASSED UNANIMOUSLY TO APPROVE #Z200538 – KENNETH BRENNAN.

4. #Z200539 – CD Builders for a special permit for an accessory apartment on property located at 143 Jobs Hill Road, APN 103-010-0000 in an RA Zone.

TIME: 7:25 PM

SEATED: J. Prichard, B. Hoffman, L. Spielman, G. Kupecky, A. Hoffman, E. Zahner

Kevin Zahner, CD Builders came forward to review the plan.

Mary Newman, 135 Jobs Hill Road was never notified of this meeting.

MOVED (B. HOFFMAN), SECONDED (KUPECKY) AND PASSED UNANIMOUSLY TO CONTINUE THE PUBLIC HEARING TO THE NOVEMBER 28, 2005 MEETING DUE TO THE FAILURE OF THE APPLICANT TO NOTICE ALL PROPERTIES WITHIN 500 FEET.

IV. NEW BUSINESS:

1. Discussion with K. Ballasy Re:Zoning at 298 Somers Road.

NO MOTIONS OR DECISIONS

2. Request for a 90-day extension to file mylars for the Angel Trace, LLC Subdivision (#S200503 – Crystal Lake Road)

MOVED (B. HOFFMAN), SECONDED (SPIELMAN) AND PASSED UNANIMOUSLY TO GRANT A 90-DAY EXTENSION TO FILE MYLARS FOR ANGEL TRACE, LLC SUBDIVISION.

3. Request for two 90-day extensions to file mylars for Freedom Ridge Subdivision (#S200504 – 14 South Road)

MOVED (KUPECKY), SECONDED (SPIELMAN) AND PASSED UNANIMOUSLY TO GRANT TWO 90-DAY EXTENSIONS TO FILE MYLARS FOR FREEDOM RIDGE SUBDIVISION.

4. Request for a 120 day extension to file mylars for Hollay Subdivision (#S200506 – Crystal Lake Road)

MOVED (SPIELMAN), SECONDED (B. HOFFMAN) AND PASSED UNANIMOUSLY TO GRANT A 120-DAY EXTENSION TO FILE MYLARS FOR HOLLAY SUBDIVISION.

5. Request for a 5 year extension to complete Ellington Heights Subdivision (S9912 – Somers Road)

Mike Leaska, Ellington Heights came forward to explain why they need the extension.

MOVED (B. HOFFMAN), SECONDED (SPIELMAN) AND PASSED UNANIMOUSLY TO GRANT A 5 YEAR EXTENSION TO COMPLETE ELLINGTON HEIGHTS SUBDIVISION.

6. Request for Bond reduction for Crestwood IV re-subdivision.

Chairman Zahner read Buck & Buck's letter dated 9/27/05.

MOVED (A. HOFFMAN), SECONDED (SPIELMAN) AND PASSED (B. HOFFMAN – ABSTAINED) PERFORMANCE BOND REDUCTION FROM \$225,000 TO \$85,000 MAINTENANCE BOND FOR CRESTWOOD IV RE-SUBDIVISION.

7. #S200511 – Rem Motor Rental for a 2 lot subdivision on property located on West Road, APN 046-001-0000 in a PC & RA Zone. (RECEIPT ONLY)

BY CONSENSUS, THE COMMISSION RECEIVED #S200511

8. **MOVED (SPIELMAN), SECONDED (KUPECKY) TO ADD BY VOICE VOTE #S200512 – 3 LOT SUBDIVISION - JANET HALL FOR RECEIPT ONLY.**

9. **MOVED (SPIELMAN), SECONDED (PRICHARD) TO ADD BY VOICE VOTE DISCUSSION WITH CHUCK WAGON FOR STORAGE SHED.**

Chairman Zahner read Landmark Surveys letter dated 10/31/05.

BY CONSENSUS, THE COMMISSION DETERMINED AS A POLICY PROCEDURE THAT APPLICANTS SEEKING MINOR COMMERCIAL SIGHT PLAN MODIFICATIONS NEED NOT HAVE TO FORMALLY APPLY TO PLANNING & ZONING COMMISSION. HOWEVER, STAFF RESERVES THE SOLE RIGHT TO REFER ANY MODIFICATIONS TO COMMISSION FOR REVIEW OR DETERMINATION.

10. **MOVED (SPIELMAN), SECONDED (KUPECKY) TO ADD BY VOICE VOTE RYE FIELD SUBDIVISION REDUCTION OF PERFORMANCE BOND TO A MAINTENANCE BOND.**

TABLED TO THE NOVEMBER 28, 2005 MEETING

V. UNFINISHED BUSINESS:

1. Discussion: Land Use Permit Fee Modifications.

The commission spoke among themselves about the land use permit fees.

Commissioner B. Hoffman was concerned that the fees were too high and how it wasn't fair to all people coming in for different things.

BY CONSENSUS, THE COMMISSION SET A SPECIAL MEETING WORKSHOP ON NOVEMBER 16, 2005 AT 6:00 P.M.

2. CGS 8-24 Review: Porter Road (section) Discontinuance.

BY CONSENSUS, THE COMMISSION WANTS A LETTER DRAFTED TO THE FIRST SELECTMAN RESPONDING TO HIS LETTER SENT TO THE COMMISSION REGARDING PORTER ROAD DISCONTINUANCE.

MOVED (SPIELMAN), SECONDED (KUPECKY) TO APPROVE THE CLOSURE OF PORTER ROAD WITH THE CONDITION THAT THE ABUTTERS BE NOTIFIED.

VI. ADMINISTRATIVE BUSINESS:

1. Appointments to CRCOG Regional Planning Commission.

BY CONSENSUS, THE COMMISSION WILL WAIT UNTIL THE ELECTION OF OFFICERS TO APPOINT MEMBERS TO THE CRCOG REGIONAL PLANNING COMMISSION.

2. Updated appraisal for Angel Trace Subdivision #S200503.

NO MOTIONS OR DECISIONS MADE

3. Letter to Dennis Milanovich from Gordon Frassinelli, Jr. dated 10-04-05.

NO MOTIONS OR DECISIONS MADE

4. FY-2006-07 Capital Improvements Budget Requests.

NO MOTIONS OR DECISIONS MADE

5. Approval of September 26, 2005 Meeting Minutes.

MOVED (SPIELMAN), SECONDED (PRICHARD) AND PASSED UNANIMOUSLY TO APPROVE THE SEPTEMBER 26, 2005 MEETING MINUTES.

6. Correspondence:

- a. Letter to Alan Williams from the Department of Army, dated 9-27-05. (Regulatory Division)
- b. Letter to Sadds Mill Associates from Robert Phillips, Town Planner dated 10-03-05. (CEASE & DESIST ORDER)

SO NOTED

VII. ADJOURNMENT:

**MOVED (SPIELMAN), SECONDED (PRICHARD) AND PASSED UNANIMOUSLY TO
ADJOURN THE MEETING AT 10:00 PM.**

Respectfully Submitted,

Kristin Michaud
Recording Secretary